

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARCHIE ISLAS,

NO. CIV. S-03-1687 LKK/JFM

Plaintiff,

v.

O R D E R

LOUISVILLE LADDER GROUP, LLC,
a Delaware limited liability
company; and HOME DEPOT U.S.A.,
INC., a Delaware corporation,

Defendants.

The court is in receipt of defendant's declaration stating that his client would be charged in excess of \$5,000 if plaintiff is allowed to proceed on a new theory at trial. The court has also reviewed plaintiff's response stating that he believes this amount is "excessive." Having considered the parties' arguments, the court hereby ORDERS plaintiff's counsel to PAY \$5,000 (five-thousand dollars) to opposing counsel within thirty (30) days of this order. Plaintiff's counsel shall also file an affidavit with this court within thirty (30) days which states that this amount

1 is paid personally by counsel, out of personal funds, and is not
2 and will not be billed, directly or indirectly, to the client or
3 in any way made the responsibility of the client as attorneys' fees
4 or costs.

5 IT IS SO ORDERED.

6 DATED: May 12, 2006.

7 /s/Lawrence K. Karlton
8 LAWRENCE K. KARLTON
9 SENIOR JUDGE
10 UNITED STATES DISTRICT COURT
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